REMARKS

This Amendment responds to the non-final Office Action mailed February 25, 2008. Claims 1-3 and 5-10 are pending. Claims 1-3 and 5-10 have been amended. Claims 4, 11 and 12 have been cancelled. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Rejection of Claims Under 35 U.S.C. § 102

Claims 1, 5, 11, and 12 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,569,500 to Sigel et al. (hereinafter *Sigel).* Of these claims, claim 1 is the only independent claim. The Examiner contends that *Sigel* shows or teaches all the elements of the rejected claims. Applicants respectfully disagree with the Examiner's contention for the reasons set forth below.

Sigel fails to disclose or suggest "forming the non-carpeted vehicle floor covering from a thermoplastic polyolefin" or "exposing a surface of the non-carpeted vehicle floor covering to a plasma," as set forth in Applicants' amended independent claim 1. In contrast, *Sigel* fails to disclose that either the film 10 or the coating applied to the film 10 is a thermoplastic polyolefin, that the film 10 is used as a non-carpeted floor covering, or the film 10 and coating are treated with a plasma. This deficiency in the disclosure of *Sigel* is reflected in the fact that original dependent claims 2 and 3 were not subject to this rejection.

In order for a reference to anticipate the invention in a claim, the reference must teach each and every element in the precise arrangement set forth in the claim. If the reference fails to teach even one of the claimed elements, the reference does not and cannot anticipate the claimed

invention. Because of the deficiencies discussed above, *Sigel* fails to anticipate independent claim 1. For at least this reason, Applicants respectfully request that this rejection be withdrawn.

Because claim 5 depends from independent claim 1, Applicants submit that this claim is also patentable for at least the same reasons discussed above. Furthermore, this claim recites a unique combination of elements not disclosed or suggested by *Sigel*.

Rejection of Claims Under 35 U.S.C. § 103

Claims 1-4 and 6-10 over Sigel in view of Hahn

Claims 1-4 and 6-10 stand rejected under 35 U.S.C. § 103(a) as unpatentable over *Sigel* in view of U.S. Patent No. 4,170,663 to Hahn Jr. et al. (hereinafter *Hahn*). Applicants respectfully disagree with the rejection for the reasons set forth in the following remarks.

With regard to the latter, the Examiner contends on page 3 of the Office Action that it is inherent in *Sigel* that "plasma formation occurs via ionization of the nitrogen gas in Sigel et al via electron beam." Applicants counter that simply moving an electron beam through nitrogen gas does not automatically sustain a gas discharge capable of forming plasma. Some ionization may occur as the electron beam travels through the nitrogen gas but the ionization would not necessarily form plasma. A plain meaning of the term plasma is "a highly ionized gas containing nearly equal numbers of positive ions and electrons." *See* The American Heritage Dictionary, 3rd Ed., p. 1046 (Houghton Mifflin 1997). In a plasma, the charged particles must be close enough together that each particle influences many nearby charged particles, rather than just interacting with the closest particle. These collective effects are a distinguishing feature of plasma, which are absent from the disclosure in *Sigel*. Simply passing a beam of ionized particles, whether electrons or some other energetic charged species, will not generate plasma.

In any event, *Hahn* fails to remedy the deficiencies of *Sigel*. In particular, *Hahn* fails to disclose "exposing a surface of the non-carpeted vehicle floor covering to a plasma." *Hahn* generally discloses the use of a beam of ionizing radiation, as set forth in the passage at column 10, line 66 – col. 12, line 18 reproduced below:

> The ionizing radiation employed in the invention is radiation possessing an energy at least sufficient to produce ions either directly or indirectly in a medium composed of common elements such as air or water and includes ionizing particle radiation and ionizing electromagnetic radiation. Ionizing particle radiation designates the emission of electrons or accelerated nuclear particles such as protons, alpha particles, deuterons, beta particles, neutrons or their analogs. Charged particles can be accelerated using such devices as resonance chamber accelerators, DC potential gradient accelerators, betatrons, synchrotrons, cycototrons *(sic)*, etc. Neutron radiation can be produced by bombarding a selected light metal such as beryllium with positively charged particles of high energy. Ionizing particle radiation can also be obtained by the use of an atomic pile, radioactive isotopes or other natural or synthetic radioactive materials. Ionizing electromagnetic radiation comprises high energy photons. Examples are X-rays, bremsstrahlung and gamma rays.

However, none of these types of ionizing radiation disclosed in *Hahn* constitutes plasma. Specifically, similar to *Sigel*, the passage of a beam of ionizing radiation through a gas may generate ions along the track of the ionizing radiation, but it is incapable of generating plasma.

With regard to a rejection under 35 U.S.C. § 103(a), a *prima facie* case of obviousness requires that the references teach or suggest all the claim limitations. In this instance, the combination of *Sigel* and *Hahn* fails to disclose "exposing a surface of the non-carpeted vehicle floor covering to a plasma." For at least this reason, Applicants submit that the Examiner has failed to establish *prima facie* obviousness. Therefore, Applicants request that the Examiner withdraw the rejection of independent claim 1.

Claim 1 is patentable over the combination of *Sigel* and *Hahn* for additional reasons.

Claim 1 is patentable over the combination of *Sigel* and *Hahn* for additional reasons. In particular, *Hahn* fails to disclose "forming the non-carpeted vehicle floor covering from a thermoplastic polyolefin". *Hahn* discloses various different polymers but fails to disclose thermoplastic polyolefins (TPO's) and the specific use of TPO's in a non-carpeted vehicle floor covering. For at least this independent reason, Applicants submit that the Examiner has failed to establish *prima facie* obviousness. Therefore, Applicants request that the Examiner withdraw the rejection of independent claim 1.

Because claims 2, 3, and 6-10 depend from independent claim 1, Applicants submit that these claims are also patentable for at least the same reasons discussed above. Furthermore, these claims recite unique combinations of elements not disclosed or suggested by the combined disclosures of *Sigel* and *Razavi*.

Claims 1-4 and 6-10 over Sigel in view of Razavi and Hahn

Claims 1-4 and 6-10 stand rejected under 35 U.S.C. § 103(a) as unpatentable over *Sigel* in view of either U.S. Patent No. 6,057,414 to Razavi et al. (hereinafter *Razavi*). Applicants respectfully disagree with the rejection for the reasons set forth in the following remarks.

Razavi discloses the use of a plasma to treat various different polymers and for various different applications. However, the combination of Sigel and Razavi fails to disclose "moving the plasma relative to the non-carpeted vehicle floor covering." *Sigel* generically discloses curing the partially cured film 28 with a beam of electrons. *See* col. 3, lines 46-48; col. 5, lines 1-32. *Razavi* discloses the use of a conventional plasma system that places strips of the polymer material inside a vacuum chamber and then generates a plasma inside the vacuum chamber. See

col. 4, lines 30-68. *Razavi* fails to disclose any relative movement between the plasma and the strips of polymer material. As typical of conventional plasma systems, the strips are static inside the vacuum chamber while immersed in the plasma and the plasma is not moved relative to the strips. Because the combination of references fails to teach or suggest all the claim limitation, Applicants submit that the Examiner has failed to establish *prima facie* obviousness. Therefore, Applicants request that the Examiner withdraw the rejection of independent claim 1.

Claim 1 is patentable over the combination of *Sigel* and *Razavi* for additional reasons. Sigel fails to disclose "forming the non-carpeted vehicle floor covering from a thermoplastic polyolefin". *Razavi* discloses various polymers but fails to disclose thermoplastic polyolefins (TPO's) as one of the polymers and the specific use of TPO's in a non-carpeted vehicle floor covering. Hence, *Razavi* fails to remedy the deficiencies in the disclosure of *Sigel*. For at least this additional reason, Applicants submit that the Examiner has failed to establish *prima facie* obviousness. Therefore, Applicants request that the Examiner withdraw the rejection of independent claim 1.

Because claims 2, 3, and 6-10 depend from independent claim 1, Applicants submit that these claims are also patentable for at least the same reasons discussed above. Furthermore, these claims recite unique combinations of elements not disclosed or suggested by the combined disclosures of *Sigel* and *Razavi*.

CONCLUSION

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing amendments and remarks, this application is submitted to be in complete condition for allowance. Accordingly, a timely notice of allowance

to this effect is earnestly solicited. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe any fees are due in connection with filing this communication. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and is hereby authorized to charge any under-payment or fees associated with this communication, or to credit any over-payment, to Deposit Account No. 23-3000.

Respectfully submitted,
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